

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DAVID DAVILA AND JANET
DAVILA,

2:11-CV-00894-PMP-RJJ

Plaintiffs,

ORDER

vs.

HLB MORTGAGE, N.A.; WELLS
FARGO BANK N.A.; TRUSTEE
CORPS; MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC;
The JOHN FOE INVESTORS 1-
10,000; BLACK AND WHITE
CORPORATION,

Defendants.

Before the Court for consideration is Defendant Wells Fargo Bank's Motion to Dismiss Plaintiffs' Complaint (Doc. #4) filed June 9, 2011. Plaintiffs have failed to file a timely response and therefore, consent to the granting of Defendant's Motion. Moreover, a review of Defendant's Motion to Dismiss shows that Defendant is entitled to the relief requested on the merits of its motion.

Specifically, Plaintiff's Complaint fails to state a claim upon which relief could be granted against Defendant Wells Fargo Bank. Therefore, dismissal under Federal Rule of Civil Procedure 12(b)(6) is appropriate.

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1 **IT IS THEREFORE ORDERED** that Defendant Wells Fargo Bank's
2 Motion to Dismiss Plaintiffs' Complaint (Doc. #4) is **GRANTED**.

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4 DATED: June 28, 2011.

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7 PHILIP M. PRO
8 United States District Judge
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